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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,058	01/22/2004	Hiroshi Uno	1990.69202	3718

24978 7590 01/14/2009  
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EXAMINER
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HABERMEHL, JAMES LEE

ART UNIT	PAPER NUMBER
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2627

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



1. This Office action is in response to amendment filed 24 November 2008, which papers have been placed of record in the file.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 13, 15, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Triceps. Triceps meets all the limitations of claim 13, including showing subjecting a record signal recorded on the medium to a convolution of (1-D) before a detecting process due to being reproduced by the magnetic recording system (see Figure 19 and pp. 26-27 disclosing the creation of the step response, and also Figure 20 element c and disclosure thereof while used for reproduction). Also, Triceps discloses a signal processing method utilizing a partial response to record information on a medium (see Figure 20 elements a, b, and c, the disclosure thereof, and page 29 last paragraph to the first paragraph on page 31) and then regenerate the information from the medium wherein a regeneration signal from the medium is subjected to an equalizing process including the convolution (see Figure 20, elements d and e, the disclosure thereof, last paragraph on page 29, table 2 on page 29, and the last paragraph on page 10 to last paragraph on page 11) of  $(k \cdot s \cdot D)$

where D: one (1) bit delay operator, and k, s: positive integer (see 8th line "(1+D) (2-D)" in table 2 on page 29 in Triceps, wherein in 2-D, k is considered as 2 and s is considered as 1).

Regarding claims 15 and 17, the limitations recited in the method claim 13 are similar to the limitations recited in the circuit/apparatus claims 15 and 17. Therefore, the rejection applied to the method claim 13 is also applied the apparatus claims 15 and 17 for the same reasons of anticipation as stated above in this Office action.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 14, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Triceps in view of Ueno. Triceps meets all the additional limitations of these claims for the reasons given above regarding claims 13, 15, and 17, except for not explicitly showing that the information is decoded from the equalized signal by use of maximum-likelihood detection. Ueno discloses that the information is decoded from the equalized signal by use of maximum-likelihood detection as recited in the claim (See Figure 8 elements 70-72 and disclosure thereof).

It would have been obvious to one of ordinary skill in the art at the time this invention was made to modify the signal processing capability disclosed by Triceps with the above teaching from Ueno to provide the information that is decoded from the equalized signal by use of maximum-likelihood detection, such that the most likely sequence of the signal is detected and hence to minimize the effect of waveform interference.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is

Art Unit: 2627

filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James L. Habermehl whose telephone number is (571)272-7556. The examiner can normally be reached on 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. L. H./  
Examiner, Art Unit 2627

/Andrew L. Sniezek/  
Primary Examiner, Art Unit  
2627

Habermehl/jlh  
7 Jan 09